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JOHN F. DAVIS, CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1964

No. 822

DAVID GROSSMAN, ET AL.,

Petitioners,

v.

JEANNETTE STUBBS and HAROLD RUGG,

Respondents.

PETITION FOR REHEARING

Irma Grossman, pro se,
for
DAVID GROSSMAN, pro se
287 Avenue C,
New York, New York

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PETITION FOR REHEARING

Petitioners prays that this Court grant rehearing of its order of March 8, 1965 denying the petition for writ of certiorari on the following grounds:

1. The respondents did not and could not answer our brief. The insurance company will not become involved with this fraud through the highest court in this land. M. F. Pearlman who pulled off the purported settlement has never answered anything.

2. We have never had any type of hearing on this fraud. The Supreme Court of New Jersey refused to hear it. The Ethics Committee who is controlled by the Supreme Court of New Jersey refused to hear it. It was not until after the Appellate hearing that through various testimony forced out of the defendants and Pearlman were we able to prove without a doubt all of our allegations. It was through the remand of the appellate division that Pearlman through

testimony entrapped himself and the respondent. This is the same remand the Appellate division of New Jersey passed judgment on in May of 1964 and did not have testimony until September 1964.

3. We are asking for the most fundamental right guaranteed by law. The right of hearing. We have never felt that this matter must be settled by the Supreme Court of the United States. We have only asked for a hearing by any official Tribunal. The matter can be remanded back to the Supreme Court of New Jersey or whatever court this body feels it should be remanded back to. To completely deny any hearing is against all principles of law and justice.

4. The complete attitude of judges, the courts and yes even the office of the Supreme Court of the United States is prejudiced against parties who act pro se. When this court denied our petition on March 8, 1965 we were notified by letter. On Wednesday March 10, 1965 the clerks office notified the Supreme Court of New Jersey on the denial of our writ. Mail with our notification of denial did not arrive until late Wednesday. As soon as we were notified we sent a telegram advising the clerks office we were applying for a stay. This telegram was waiting in the clerks office by 9:00 a.m. Thursday morning. The stay papers arrived Thursday Air mail, special delivery. The clerk refused to file them. I advised this office that I acted correctly and this was an error on their part for not sending a telegram. In quoting Supreme Court Practice Stern Gressman Third Edition P 268 "In cases on the regular appellate docket, counsel residing outside Washington, D.C., will receive notification from the Clerk

by telegram." The Clerks office answered by notifying us that it has not been the practice of the office to notify litigants proceeding pro se by telegram. And the quote I used specifically states *counsel.* (Exhibit 1). In #385 *Grossman* v. *Stubbs,* October Term, 1964, we were notified of the denial via telegram. This case was the end result of the purported settlement. We have paid the same fees to the courts as any counsel. We have presented the correct forms as a counsel would. And therefore we deserve the same courtesy and respect that is given to counsel. Parties who act in their own behalf are not second class citizens. The courts were supposedly created for the people not the people for the courts.

If the court resents parties acting pro se I for one would be glad to turn this matter over to any attorney who will attack the local bar associations throughout the county as being defunct and ineffectual in governing over the ethics of the bar. There are no civil boards or private citizens on the ethics committees. It is governed by lawyers, judged by lawyer and obligated to lawyers. This is no watch system to protect the public against lawyers.

I would want an attorney who has no loyalties to any bar, or to any judge or to any future case in which he must deal again with bar and bench. The plaintiffs realize "insurance" is one of the ten biggest industries in the United States. Each state has its insurance lobby in legislature wheeling and dealing to protect their interests. There are payoffs, graft, corruption, contributions for elections etc. *Who protects the people?* Find me a lawyer who will

admit legal stunts such as purported settlement can and are pulled off in every state. Find me a lawyer who will admit the parties in civil suits are regarded as pieces of meat in a butcher shop. Certain large firms will only handle the big money cases. Where does justice of the situation find its place.

Find me a lawyer who would attack the VI amendment of the New Jersey Constitution which denies the people of New Jersey the right to vote for the judges who have the unlimited power to decide law and make way for rules of court and then shove these laws and rules down the peoples throats without any vote by the people whatsoever. Now the pendulum swings for voters rights in Alabama. I think it ironical that when the Negro has his vote in Alabama they will be voting for the judges that govern them while the people of New Jersey white or black are and will be denied this right.

5. Just as any member of this court honors his name so do the Grossmans. In our petition for hearing it is our good name that is at stake. The appellate division in their opinion of May, 1964 branded us liars. M. F. Pearlman in the remand hearing of September 14, 1964 stated about Mrs. Grossman "This woman needs a guardian or a committee appointed. I want that in the record." It seems if a private citizen tries to fight in court for his beliefs or rights he is unbalanced or a liar or both. We have a right to our good name and to defend that good name and we can only do that through hearing where we can prove our allegations as being true. We shall never give up this cause. In speaking with the public, the

people who are used by the attorneys we have compiled enough stories and stunts about lawyers and the courts to fill a book. After believing so strongly in the supposed American way its a big let down.

We ask this court for all the foregoing reasons and with "justice for all" to have this complete matter heard by whatever tribunal this court deems just.

Respectfully submitted and written by

Irma Grossman, pro se,
for
David Grossman, pro se
287 Avenue C,
New York, New York

Certificate of Counsel

We, Irma Grossman, pro se and David Grossman, pro se, certify that the foregoing Petition for Rehearing is presented in good faith and not for purposes of delay.

/s/ Irma Grossman
/s/ David Grossman

EXHIBIT 1

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D. C. 20543

March 18, 1965

Mrs. D. Grossman
287 Avenue C
New York, N. Y.

RE: GROSSMAN v. STUBBS, ET AL.
No. 822, Oct. Term, 1964

Dear Mrs. Grossman:

Your letter of March 16th citing one of the volumes concerning practice in this Court does not govern the practice of this office.

The Rules promulgated by the Court and other methods of notification may at any given time be in substantial variance with the various books of practice, and it has never been the practice of this office to notify litigants proceeding pro se by telegram.

The sentence referred to in your letter specifically states that counsel residing outside Washington, D. C. will be notified by telegram.

Very truly yours,

JOHN F. DAVIS, Clerk

By Edward C. Schuda

E. C. Schuda
Assistant

ECS:rlf